

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.42803 of 2008
BHAGIRATH PRASAD SINGH @ BHAGIRATH SINGH
Versus
STATE OF BIHAR

2 **04.12.2008** Heard learned counsel for the petitioner and Mr. R.P.S. Singh, Addl. P.P. appearing for the State.

At the outset it is submitted that petitioner had earlier moved before this Court for grant of anticipatory bail in Cr. Misc. 20900 of 2000 which was rejected as per the order dated 11.09.2000.

It is further submitted that during the pendency of this application the department has dropped the proceeding against him, and therefore, this application for grant of anticipatory bail may be considered on merits.

It appears that while rejecting the application for bail this Court had observed that "No case for anticipatory bail is made out. The prayer is rejected."

In view of the above and the fact that investigation is still pending, I am not inclined to entertain this application. This application is, accordingly, rejected.

However, on surrender in case any application for grant of bail is filed on behalf of the petitioner in the Court below, the same shall be considered on its own merit in accordance with law.

Manish/-

(Shailesh Kumar Sinha,J.)